

### **General Waiver Justification:**

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

**1. Will the waiver adversely affect adjacent property owners?**

The waiver will not adversely affect adjacent property owners as this is an existing on the subject site and also exists for many adjacent properties

**2. Will the waiver violate the Comprehensive Plan?**

The waiver will not violate the comprehensive plan as this is an existing condition that matches many of the surrounding properties.

**3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?**

The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant.

**4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?**

The strict application of the provision of the regulation would create an unnecessary hardship on the applicant. This is an existing condition that is now under review due to the applicant's desire to upgrade the existing building. In order to remove the parking in front of the building, it would require work and fill in the combined sewer overflow floodplain. Work and fill with the floodplain would require onsite a compensation basin that appears to be infeasible.

**RECEIVED**

JAN 25 2021

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